IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO. 5204 of 2006.
IN
FIRST APPEAL NO. 3041 OF 2006.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri R.V.Bansode for the Applicants.

Shri J.Shekhar i/by M/s.J.Shekhar & Co. for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 31st January, 2007.

P.C.:

1. Heard the learned Advocates appearing for the parties. The Appeal has been admitted for final hearing. Therefore, the decree for specific performance will have to be stayed. Hence the Application is disposed of by the following order:

i) There will be interim relief in terms of prayer clause (b) subject to condition that the Applicants will not create any third party interests and will not part with possession of the suit property till disposal of the First Appeal.

ii) If the balance consideration is deposited

by the Respondent, the same shall be invested by the trial Court in a fixed deposit in any nationalised bank initially for a period of three years and the fixed deposit shall be renewed from time to time till disposal of the First Appeal.

Judge.